

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

By the current Amendment, claims 7, 8, 10-19, 21 and 22 have been amended and claims 23-27 have been added.

Claim 7 has been amended to require that aqueous paints having colors based upon the same combination of pigments are used. This amendment is believed to address the issues raised by the Examiner in the paragraph bridging pages 2-3 of the Office Action, as well as the issues forming the basis for the 35 U.S.C. § 112, second paragraph, rejection of claim 7. Claim 14 has also been amended to address the 35 U.S.C. § 112, second paragraph, rejection thereof. All currently pending claims are believed to be free of the 35 U.S.C. § 112, second paragraph, issues raised by the Examiner, and are otherwise believed to be in full compliance with 35 U.S.C. § 112, second paragraph.

Claims 7-10 and 14-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Spangler. Claims 7-9 and 15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Gross et al. Claims 10, 16 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross et al. in view of Saatweber et al. Claims 11-13, 18, 19, 21 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Spangler in view of Hayahara et al. Claims 21 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross et al. in view of Hayahara et al. Claims 11-13, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross et al. and Saatweber et al., and further in view of Hayahara et al. And, claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross et al. and Saatweber et al., and further in view of Spangler.

In view of the aforementioned amendment to claim 7, which requires use of aqueous paints having different colors based on the same combination of pigments, it is respectfully submitted that all rejections relying on Spangler as a primary reference should not be maintained.

The rejections based on Gross et al. as a primary reference are respectfully traversed, and currently pending claims 7-19 and 21-27 are believed to be allowable over the references relied upon by the Examiner either taken alone or in combination.

In rejecting claim 7 as being anticipated by Gross et al., the Examiner takes the position that Gross et al. teaches a process in which two or more aqueous paints, having different colors based on the same pigments, are sprayed onto a substrate, and the over-spray of these paints is washed off with water and recycled in a single collection unit. The Examiner directs Applicant's attention to column 2, lines 30-55 of Gross et al. However, this portion of Gross et al., and the patent in its entirety, has been studied and there is no mention of collecting as excess paint aqueous paints **having different colors based on the same combination of pigments**, as required by claim 7. Accordingly, for this reason alone it is respectfully submitted that claim 7 is not anticipated by Gross et al., whereby claim 7 is allowable over Gross et al. None of the other references resolve this deficiency of Gross et al., and accordingly, claim 7 is also allowable over any possible combination of the references relied upon by the Examiner.

Irrespective of the above, claim 7 has been amended to further distinguish the instant invention from Gross et al. In this regard, claim 7 now requires *inter alia*

concentrating said excess paint so as to provide concentrated paint...storing said concentrated paint...based on said identity of said combination of pigments...together.

The significance of storing together concentrated paint of different colors which are based on the same combination of pigments, is that the amount of facilities and equipment necessary for concentrating and storing paints of different colors can be reduced. In this regard, the number of storage facilities, ultrafiltration equipment, and the like corresponds to the number of pigment combinations, and not to the number of paint colors, such that less facilities and equipment are required.

Gross et al. is silent with regard to storing concentrated paints of different colors which are based on the same combination of pigments, and thus, is not concerned with the amount of facilities and equipment necessary for concentration and storage of paint. In this regard, Gross et al. discloses a process for spray-painting with aqueous paints in which paints of different colors are processed, and recovered paint is recycled after being admixed with newly supplied paint. Substrates to be painted are selected based upon certain criteria, and the amount of aqueous paints of different hues or colors is controlled.

However, there is no mention in Gross et al. of concentration or storage of paints, let alone concentration and storage of paints having different colors based on an identity of pigment combinations. None of the other references are concerned with such concentration and storage, and accordingly, for this additional reason amended claim 7 is allowable.

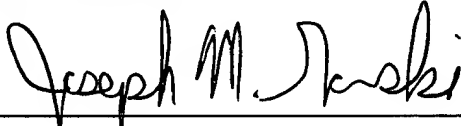
Thus, claims 7-19 and 21-27 are allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicant's undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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